

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**ROBIN MAYFIELD, ET AL.**

**PLAINTIFFS**

**v.**

**CIVIL ACTION NO.: 3-17-CV-514-CWR-FKB**

**BUTLER SNOW LLP, ET AL.**

**DEFENDANTS**

**MOTION BY SENATOR THAD COCHRAN FOR LEAVE TO RESPOND TO  
PLAINTIFFS' MOTION TO NOTICE DEPOSITION OF  
THAD COCHRAN**

COMES Senator Thad Cochran and seeks leave from the Court to file a Response to Plaintiffs' Motion to Notice Deposition of Thad Cochran [Doc. # 68] and in support thereof would show as follows:

1. On February 20, 2018, Senator Cochran became aware of the motion by plaintiffs to notice his deposition.

2. While Senator Cochran is not a party to this case, he is the object of plaintiffs' motion. Indeed, if the Court were to permit the requested notice of deposition to issue (grounds for which are denied), Senator Cochran would be the "person from whom discovery is being sought" under Federal Rule of Civil Procedure 26(c)(1). No party to this case can protect his interest because they do not know the facts concerning his health, schedule and senatorial responsibilities. Senator Cochran seeks permission from the Court to respond and oppose the plaintiffs' motion and to assert all of his rights under the Federal Rules of Civil Procedure.

3. This Court has the inherent authority to manage and oversee the discovery process. Granting Senator Cochran permission now to address plaintiffs' attempt to take his deposition will facilitate judicial management of the bifurcated discovery proceedings being overseen by the Court. Permitting Senator Cochran to respond now will not delay but will expedite the ultimate resolution of the issues associated with any notice of deposition or subpoena issued to Senator Cochran.

WHEREFORE Senator Cochran requests leave to respond to plaintiffs' motion to notice his deposition on or before March 15, 2018.

This the 22<sup>nd</sup> day of February 2018.

Respectfully submitted,

THAD COCHRAN

By: /s/ Michael W. Ulmer  
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**CERTIFICATE OF SERVICE**

I, the undersigned attorney, do hereby certify that I have this date electronically filed the above and foregoing pleading with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record

Dated: February 22, 2018

/s/ Michael W. Ulmer

Michael W. Ulmer (MSB #5760)